

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GREGORY ALLAN HATFIELD,

Case No. 3:19-cv-00531-MMD-CLB

Plaintiff,

ORDER

v.

DR. NAUGHTON, *et al.*,

Defendants.

Pro se Plaintiff Gregory Allan Hatfield brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 33), recommending the Court grant Defendants’ pending motion for summary judgment (ECF No. 26 (“Motion”)). Plaintiff had until February 11, 2022, to file an objection. To date, no objection to the R&R has been filed.¹ For this reason, and as explained below, the Court adopts the R&R, and will grant Defendants’ Motion.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory

¹Hatfield also never filed a response to the Motion. However, the Court warned him of the potentially dispositive consequences of the Motion (ECF No. 30), and Judge Baldwin granted him a *sua sponte* extension of time to respond to the Motion warning him that the Motion would be submitted to the Court for decision if he did not file a response by that extended deadline (ECF No. 31).

1 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no
2 clear error on the face of the record in order to accept the recommendation.”).

3 Because there is no objection, the Court need not conduct de novo review, and is
4 satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin recommends granting
5 the Motion because Defendants proffered un rebutted evidence that Plaintiff was
6 monitored—and then successfully treated—for Hepatitis C despite Plaintiff’s initial
7 allegations to the contrary. (ECF No. 33 at 7-9.) The Court agrees with Judge Baldwin.
8 Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

9 It is therefore ordered that Judge Baldwin’s Report and Recommendation (ECF
10 No. 33) is accepted and adopted in full.

11 It is further ordered that Defendants’ motion for summary judgment (ECF No. 26)
12 is granted.

13 The Clerk of Court is directed to enter judgment accordingly—in Defendants’
14 favor—and close this case.

15 DATED THIS 24th Day of March 2022.

16
17 

18 _____
19 MIRANDA M. DU
20 CHIEF UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26
27
28